

Blount, E. W. Montgomery, R. B. Howell, W. A. Nabors, J. M. Mitchell, P. Y. Poindexter, W. M. Pierson, Jno. W. McMillan, Ed J. Mays.

Coke—A. B. Rhodes, L. F. Lloyd.
Musgrove—Walker Garrison.
Peach—J. N. Davis.
Perryville—W. A. Morrison.

ZAVALA COUNTY.

Batesville—J. B. Ross, Geo. Myers.
Loma Vista—H. T. Lawson.

FORTY-SIXTH DAY.

Senate Chamber,
Austin, Tex., Thursday, March 26, 1903.

Senate met pursuant to adjournment.
Lieutenant Governor Neal in the chair.
Roll call. Quorum present, the following Senators answering to their names:

Beaty.	Henderson.
Brachfield.	Hicks.
Cain.	Hill.
Davidson of	Lipscomb.
DeWitt.	Martin.
Davidson of	McKamy.
Galveston.	Mills.
Decker.	Morris.
Douglass.	Patteson.
Faubion.	Paulus.
Faulk.	Perkins.
Faust.	Savage.
Grinnan.	Sebastian.
Hale.	Stafford.
Hanger.	Willacy.
Harbison.	Wilson.
Harper.	

ROLL CALL OF OFFICERS AND EMPLOYEES.

Present.

Clyde D. Smith.
W. E. DeLemar.
R. L. Gilmore.
Amos Wynne.
W. M. Cobb.
Eldred McKinnon.
Mrs. Laura V. Grinnan.
F. P. Smith.
Miss Lucy Lane.
C. H. Allen.
D. F. Hughes.
Frank Mullins.
C. J. Kirk.
Rev. I. S. Davenport.
Miss May Fant Odom.
J. C. Son.
Miss Georgia Sturgiss.
Miss Hattie Yarbrough.
Mrs. Hope M. Hawkins.
Miss Emily Holcomb.

Mrs. J. R. Van Orden.
Miss Bessie Goldstein.
Miss L. Stanley.
W. T. Pace.
W. A. Shaw, Jr.
Lucien Goss.
H. Davenport.
Chas. Lane.
Willis Gibson.
Henry Paulus.
Evetts Thornhill.
Walter Savage.
Willie Gray.
Jamie Snipes.
Ed Underhill.
Will Bartley.
Reed Pierson.
Josh Pyles.
Dan Edwards.
Ellis Munroe.
Albert Hill.
Mark Marsh.
Jas. Hill.

Absent—Excused.

James Sebastian.

Prayer by the Chaplain, Rev. I. S. Davenport.

Pending the reading of the Journal of yesterday,

On motion of Senator Paulus, the same was dispensed with.

PETITIONS AND MEMORIALS.

Senator Faust offered the following petition:

March 1, 1903.

To the Honorable Twenty-sixth Legislature of the State of Texas.

We, the undersigned, residents of Guadalupe county, hereby urgently request you to vote for and give whatever other support may be in your power, to the bill to appropriate \$200,000 for an exhibit of the State's resources at the World's Fair to be held in St. Louis in 1904. We are moved to this action by the belief that as a business proposition it offers an opportunity which Texas cannot afford to neglect, and further, by the belief that if we should not be properly represented there, it would reflect discreditably on the State, and a reproach to its people. However much lawyers may disagree in a narrow construction of the Constitution, we do not believe it was intended to inhibit such measures of self-help, and we are confident that, in supporting this bill, you will carry out the wishes of the majority of your constituents.

Aruthur Wuest.
Chas. Englemann.
Christ Bachle.
Paul Pullman.

W. Schertz.
Herm. Seiler.
F. Schertz.
W. Schneister.
William Wolff.
Issy Cohen.
J. H. Gracam.
Fred Hoppe.
M. Schertz.
R. L. Graham, M. D.
A. Schertz.
A. Schneider.
Jos. M. Mayer, Jr.
Got. Boettinger.
W. H. Triesch.
Carl Jonas.
F. Brotze.
W. T. Mergele.
M. Ziershang.
C. P. Sturm.

Morning call concluded.
(Senator Willacy in the chair.)

Senator Lipscomb moved to suspend pending business (Substitute House bills Nos. 45 and 170) and take up Senate bill No. 315.

The motion was lost by the following vote, it taking two-thirds:

Yeas—15.

Davidson of	Hicks.
DeWitt.	Hill.
Decker.	Lipscomb.
Faubion.	Morris.
Faust.	Paulus.
Hale.	Sebastian.
Hanger.	Stafford.
Harper.	Willacy.

Nays—12.

Brachfield.	Henderson.
Cain.	Martin.
Douglass.	Mills.
Faulk.	Patteson.
Grinnan.	Perkins.
Harbison.	Savage.

Absent.

Beaty.	McKamy.
Davidson of	Wilson.
Galveston.	

(Lieutenant Governor Neal in the chair.)

PENDING BUSINESS—SUBSTITUTE HOUSE BILL NOS. 45 AND 170.

The Chair laid before the Senate, pending business,

Substitute House bill Nos. 45 and 170, A bill to be entitled "An Act to regulate elections, and to prescribe penalties for its violation."

The Senate resumed consideration of Section 50.

Senator Perkins offered the following amendment to Section 51:

"Amend Section 51 by striking out the words 'cannot,' where they occur in said section, and insert in lieu thereof the words 'fails to.'"

The amendment was adopted.

Senator Douglass offered the following amendment to Section 52:

"In line 9, strike out the word 'three,' and insert in lieu thereof the word 'five.'"

The amendment was adopted.

Senator Paulus offered the following amendment to Section 52:

"Amend by adding after the word 'towns,' line 9, page 18, the following: 'or cities.'"

The amendment was adopted.

Senators Hanger and Savage offered the following amendment to Section 52:

"Amend bill by striking out Section 52, and changing the numbers to comply with the amendment."

Senator Hicks moved that this section be postponed until some amendments could be prepared.

The motion prevailed.

Senator Davidson of DeWitt offered the following amendment to Section 53:

"Amend Section 53 of the bill by striking out the words 'party watchers' and 'watchers' where they occur in the section."

Senator Brachfield offered the following amendment to the amendment:

"Amend by adding the word 'challenger.'"

The amendment to the amendment was adopted.

The amendment as amended was then adopted.

Senator Faulk offered the following amendment to Section 53:

"Amend by adding after the word 'held,' in line 19, the following: 'or the booth in which the ballot is prepared, and one thus offending shall, on conviction, be guilty of a misdemeanor and fined in any court of competent jurisdiction in any sum not to exceed \$100.'"

The amendment was adopted.

EXECUTIVE SESSION.

The Chair announced that the time, 11 o'clock a. m., had arrived for the Senate to go into executive session to consider the appointment of notaries offered by Governor on yesterday, and accordingly the Senate chamber was cleared.

AFTER EXECUTIVE SESSION.

In executive session,

On motion of Senator Davidson of DeWitt, the confirmations were postponed until next Tuesday at 11 o'clock.

SUBSTITUTE HOUSE BILL NOS. 45 AND 170.

Senator Davidson of DeWitt offered the following amendment to Section 58: "Amend Section 58 by striking out 'three thousand,' and adding 'five thousand,' where it occurs in the section."

The amendment was adopted.

Senator Brachfield offered the following amendment to Section 59:

"Amend by striking out all after the word 'boxes,' in line 16, down to and including the word 'also,' in line 17."

The amendment was adopted.

Senator Hill offered the following amendment to Section 59:

"Amend by striking out all after the word 'place,' line 24."

The amendment was adopted.

Senator Patteson offered the following amendment to Section 67:

"Amend by striking out 'one and one-half,' and insert 'two and one-half,' in line 12, Section 67, page 24."

The amendment was adopted.

Senator Faulk offered the following amendment to Section 70:

"Amend by adding after the word 'booth,' line 2, page 26, 'or place prepared by the election officers.'"

The amendment was adopted.

Senator Hicks offered the following amendment to Section 70:

"Amend line 29, Section 70, page 25, by adding after the letters 'A. D.' the words 'or write the same words in ink.'"

The amendment was adopted.

Senator Hicks offered the following amendment to Section 71:

"Amend by striking out in lines 9 and 10, page 26, the words 'if he has not called for only one ballot.'"

The amendment was adopted.

Senator Douglass offered the following amendment to Section 71:

"In line 21, after the word 'stamp' add the words 'or write.'"

The amendment was adopted.

Senator Hicks offered the following amendment to Section 71:

"Amend by striking out in lines 12 and 13, page 26, the words: 'If the voter has not called for only one ballot.'"

The amendment was adopted.

Senator Brachfield offered the following amendment to Section 72:

"Amend Section 72 by striking out the words 'watchers or,' in line 28."

The amendment was adopted.

Senator Brachfield offered the following amendment to Section 76:

"Amend by striking out the words 'duly authorized watchers,' in lines 8 and 9, and the words 'or watchers,' in line 11."

The amendment was adopted.

Senator Paulus offered the following amendment to Section 77:

"Strike out all after the word 'votes,' line 16, page 28."

The amendment was lost.

Senator Paulus offered the following amendment to Section 80:

"Provided, that the refreshments shall, if liquid, be not stronger than coffee."

The amendment was adopted.

BILLS SIGNED BY THE CHAIR.

The Chair (Lieutenant Governor Neal) gave notice of signing, and did sign, in the presence of the Senate, after their captions had been read, the following bills:

House bill No. 560, "An Act to create a more efficient road system in the counties of Guadalupe, Caldwell, Comal, Hays, Gonzales and Colorado."

House bill No. 423, "An Act to create a more efficient road system for San Augustine county, Texas."

Substitute Senate bill No. 252, "An Act to incorporate the city of Corsicana, in Navarro county, Texas, and to fix the boundaries thereof, and to provide for its government and the management of its affairs."

Substitute House bill No. 10, "An Act to amend Section 1, of Chapter 111, of an act passed by the Twenty-seventh Legislature, in Regular Session, same being 'An Act to amend Section 4, of Chapter 111, of an act passed by the First Called Session of the Twenty-sixth Legislature, to provide a uniform method of selecting trustees in independent school districts, so as to provide for the assessing and collecting of taxes in independent school districts.'"

House bill No. 251, "An Act to create a more efficient road system for Harrison county, Texas, and making the county commissioners of said county ex-officio road commissioners, and prescribing their duties as such, and providing for their compensation as road commissioners and providing for the appointment of road overseers," etc.

House bill No. 233, "An Act to create a more efficient road system for Shelby county, Texas, and making the county commissioners of said county ex-officio road commissioners, and prescribing their duties as such, and providing for their compensation as road commissioners, and providing for the appointment of road overseers," etc.

House bill No. 331, "An Act to prohibit any corporation not created under the laws of the State of Texas from constructing, building, operating or main-

taining a railroad within the State of Texas."

SIMPLE RESOLUTION.

Senator Faulk offered the following resolution:

Whereas, The Hon. Gordon Russell, a distinguished citizen and member of the United States Congress is visiting the city; therefore, be it

Resolved, That the courtesies of the Senate be tendered him while here, and that he be tendered a seat in the Senate chamber.

The resolution was read second time, and unanimously adopted.

FIRST HOUSE MESSAGE.

Hall of the House of Representatives,
Austin, Texas, March 26, 1903.

Hon. Geo. D. Neal, President of the Senate.

SIR: I am directed by the House to inform the Senate that the House has passed the following:

House Concurrent Resolution No. 30, Granting leave of absence from the State to Judge J. E. Dillard, judge of the Fortieth Judicial District.

Respectfully,

BOB BARKER,

Chief Clerk, House of Representatives.

SECOND HOUSE MESSAGE.

Hall of the House of Representatives,
Austin, Texas, March 26, 1903.

Hon. Geo. D. Neal, President of the Senate.

SIR: I am directed by the House to inform the Senate that the House has Adopted Free Conference Committee report to Senate bill No. 8.

Respectfully,

BOB BARKER,

Chief Clerk, House of Representatives.

Senator Hill moved that the Senate take a recess until 3 o'clock this evening.

Senator Mills moved that the Senate take a recess until 2:30 o'clock this evening.

Action being on the longest time first, the motion to recess until 3 o'clock was lost.

The motion to recess until 2:30 o'clock this evening prevailed.

AFTER RECESS.

The Senate was called to order by Lieutenant Governor Neal.

PENDING BUSINESS—SUBSTITUTE HOUSE BILL NOS. 45 AND 170.

Senator Brachfield offered the following amendment to Section 82:

"Provided that the same name shall not appear on more than one ballot, nor shall the same name appear more than once on any one ballot or ticket."

The amendment was adopted.

Senator Faulk offered the following amendment to Section 83:

"Strike out in line 14, the following words: 'or independent body.'"

The amendment was adopted.

Senator Brachfield offered the following amendment to Section 83:

"Amend by adding, 'provided that no name shall be placed on the official ballot of the general or special election, unless the nominees of the party have been selected according to this act.'"

The amendment was adopted.

Senator Faulk offered the following amendment to Section 83:

"Amend by striking out in line 22, the word 'and,' to and including the word 'nominee,' line 22, page 29."

The amendment was adopted.

Senator Faulk offered the following amendment to Section 83:

"Amend by striking out in line 16, all after the word 'and,' down to and including the word 'nominee,' in line 19."

The amendment was adopted.

Senator Davidson of DeWitt offered the following amendment:

"Amend by striking out Section 84 of the bill."

The amendment was adopted.

Senator Faulk offered the following amendment to Section 85:

"Amend by striking out the words 'or independent body,' where it appears in this section."

The amendment was adopted.

(Senator Grinnan in the chair.)

Senator Hill offered the following amendment to Section 90:

"Amend by striking out all of the bill, from and including line 6, page 31, to and including line 2, page 40, and renumbering the sections to conform to this amendment."

Senator Sebastian made a point of order, that under the rule of considering the bill only one section be considered at a time, and that the amendment sought to strike out several sections.

The Chair (Senator Grinnan) overruled the point of order.

Senator Hicks moved to table the amendment and called for the yeas and nays.

The motion to table the amendment prevailed by the following vote:

Yeas—21.

Brachfield.	Douglass.
Cain.	Faubion.
Davidson of	Faulk.
DeWitt.	Faust.

Grinnan.	McKamy.
Harbison.	Mills.
Harper.	Patteson.
Henderson.	Perkins.
Hicks.	Savage.
Lipscomb.	Sebastian.
Martin.	Willacy.

Nays—3.

Hanger.	Paulus.
Hill.	

Absent.

Beaty.	Hale.
Davidson of	Morris.
Galveston.	Stafford.
Decker.	Wilson.

Senator Martin offered the following amendment to Section 90:

"Amend Section 90, page 31, line 14, by inserting the word 'voting,' after the word 'the.'"

The amendment was adopted.

Senator Brachfield offered the following amendment to Section 91:

"Provided that this section shall not apply to towns and cities with a population of less than 10,000, in so far as it applies to certificates of exemptions.

"And provided further, that the judges of the primary elections shall be qualified to administer oaths in regard to any matter coming up under said primary election."

The amendment was adopted.

Senator Martin offered the following amendment to Section 91:

"Amend by striking out all of Section 91."

The amendment was lost.

Senator Brachfield offered the following amendment to Section 91:

"Amend by adding after the word 'stamp,' in line 24, 'or written with pen and ink.'"

The amendment was adopted.

Senator Harper offered the following amendment to Section 92:

"Amend Section 92, line 30, page 31, by adding after the word 'day,' the following words: 'Any political party may select a different day on which to hold a primary election or convention to select delegates to a State convention, held for the purpose of sending delegates to a National Convention, and any political party may hold a second primary on the last Saturday in July to nominate candidates for county offices, in those counties where a majority vote is required to make a nomination.'"

The amendment was adopted.

Senator Brachfield offered the following amendment to Section 92:

"Amend by striking out the word 'primary,' where it appears the second time in line 1, page 32."

The amendment was adopted.

Senator Douglass offered the following amendment to Section 92:

"Amend, in line 30, after the word 'cast,' insert the words 'less than ten.'"

Senator Hanger offered the following amendment to Section 92:

"Amend by adding at the close of Section 92, the following: 'Provided any political party may permit, or order, the holding of any primary convention at such hour such party may deem advisable on said day.'"

The amendment was adopted.

Senator Brachfield offered the following amendment to Section 93:

"Amend by striking out the word 'primary,' where it occurs in line 15, page 32, the second time."

The amendment was adopted.

Senator Faulk offered the following amendment to Section 94:

"Amend by striking out Section 94."

The amendment was adopted.

Senator Savage offered the following amendment to Section 95:

"Strike out Section 95."

The amendment was adopted.

Senator Faulk offered the following amendment to Section 96:

"Amend by striking out Section 96."

The amendment was adopted.

Senator Brachfield offered the following amendment to Section 97:

"Amend by striking out the word 'primary,' where it occurs the second time in line 22, page 33."

(Lieutenant Governor Neal in the chair.)

Senator Faulk offered the following amendment to Section 97:

"Amend Section 97 by striking out all after the word 'day,' in line 26, and insert in lieu thereof the following: 'Provided that in counties where no primary election or convention for county or precinct offices has been held by any political party, the names of all candidates for county and precinct offices shall be placed on the official ticket, but the various candidates must name the ballot upon which he desires his name placed.'"

The amendment was adopted.

Senator Brachfield offered the following amendment to Section 98:

"Amend Section 98, page 33, line 27, by inserting after the word 'committees' the following words, 'or county conventions.'"

The amendment was adopted.

Senator Brachfield offered the following amendment:

"Amend by striking out the word 'primary,' where it occurs the first time in line 30, page 33."

The amendment was adopted.

Senator Faulk offered the following amendment to Section 98:

"Amend by striking out in line 28, all after the word 'meet' down to and including the '1904,' and insert in lieu thereof, as follows: 'the following Thursday after each primary election or convention.'"

The amendment was adopted.

Senator Brachfield offered the following amendment to Section 99:

"Amend Section 99 by adding after the word 'committee,' in line 31, page 32, the following: 'or convention,' and by striking out the word 'primary' where it occurs the second time in line 32, page 33."

The amendment was adopted.

Senator Perkins offered the following amendment to Section 100:

"Amend by striking out in line 6, page 34, Section 100, the words, 'and election for president and vice president.'"

The amendment was adopted.

Senator Patteson offered the following amendment to Section 101:

"Amend by striking out line 14, in Section 101, except the last two words, to wit: 'Shall then.'"

The amendment was adopted.

Senator Faulk offered the following amendment to Section 102:

"Amend by striking out Section 102."

The amendment was adopted.

Senator Davidson of DeWitt moved that further consideration of the bill be postponed until tomorrow morning at 9 o'clock.

Yeas and nays were demanded, and the motion was lost by the following vote:

Yeas—13.

Brachfield.	Hanger.
Davidson of	Henderson.
DeWitt.	Hill.
Decker.	Lipscomb.
Faubion.	McKamy.
Faulk.	Morris.
Faust.	Willacy.

Nays—10.

Cain.	Patteson.
Grinnan.	Perkins.
Harbison.	Savage.
Hicks.	Stafford.
Mills.	Wilson.

Absent.

Beaty.	Harper.
Davidson of	Martin.
Galveston.	Paulus.
Douglass.	Sebastian.
Hale.	

SIMPLE RESOLUTION.

Senator Faubion offered the following resolution:

Be it resolved by the Senate of Texas: That the Hon. A. S. Burlleson, the distinguished Congressman from the capital district of Texas, who is now in this city, be invited to a seat within the bar of the Senate.

The resolution was read, and adopted.

BILLS SIGNED BY THE CHAIR.

The Chair (Lieutenant Governor Neal) gave notice of signing, and did sign, in the presence of the Senate, after their captions had been read, the following bills:

House bill No. 444, "An Act to amend Section 3 of an act entitled 'An Act to reorganize the Thirty-second Judicial District of the State of Texas, and to designate the counties which compose the same; to prescribe the time for holding the district courts therein; to validate all processes and writs and bonds issued or executed prior to the taking effect of this act, and returnable to the terms of the said court as heretofore fixed by law, and to make same returnable to the terms of the said court as fixed in this act, and to repeal all laws and parts of laws in conflict herewith.'"

Senate bill No. 8, "An Act to amend Section 1, of Chapter 24, of the Acts of the Twenty-seventh Legislature of the State of Texas, being 'An Act to amend Section 1, Chapter 128, of an act passed by the Twenty-sixth Legislature of the State of Texas, and sent to the Governor for his approval on the 20th day of May, A. D. 1899, and entitled "An Act providing a mode by which, horses, mules, jacks, jennets and cattle may be prevented from running at large in the following counties, or in any subdivision of said counties, viz: Cooke, Bell, Ellis, Montague, Fayette, Johnson, Collin, Rockwall, Lamar, Milam, Denton, Falls, Navarro, Fannin, Hunt, Tarrant, Grayson, Guadalupe, Dallas, Austin and Brazos," so as to place Lavaca, Colorado, Washington, Williamson, Smith and Delta counties under the provisions of said chapter, so as to place McLennan, San Patricio, Limestone, Coryell, Kaufman, Rains, Bastrop, Bee, Camp, Caldwell, Calhoun, Cass, Comanche, Erath, Hill, Harrison, Hopkins, Jackson, Bosque, Montgomery, Morris, Upshur, Parker, Rusk, Red River, Titus, Trinity, Victoria, Van Zandt, Wise, Walker, Wood, Wilson, Comal, Nueces, Bexar, Eastland, Cherokee and Travis counties under the provisions of said chapter, and to provide for the holding of an election for the purpose of enabling the freeholders of such counties or subdivisions thereof, as may have adopted said law, to repeal the same."

THIRD HOUSE MESSAGE.

Hall of the House of Representatives,
Austin, Texas, March 26, 1903.

Hon. Geo. D. Neal, President of the
Senate.

SIR: I am directed by the House to
inform the Senate that the House has
adopted the report of Free Conference
Committee to Senate bill No. 65.

Respectfully,

BOB BARKER,

Chief Clerk, House of Representatives.

BILLS AND RESOLUTIONS.

By Senator Hicks, and others:

Senate bill No. 324, A bill to be entitled
"An Act to permit wagers on racing be-
tween horses when the same are con-
ducted under the supervision of any fair
association chartered under the laws of
the State of Texas, and when such wager
is made on the day the race is actually
run and within two hundred feet of the
track or grounds where such race is run;
and declaring an emergency."

Read first time, and referred to Judi-
ciary Committee No. 2.

RECESS.

Senator Hill moved that the Senate
take a recess until 8 o'clock.

Senator Willacy, as a substitute mo-
tion, moved that the Senate take a recess
until 8 o'clock tonight, for the purpose
of considering local bills and Senate bill
No. 315.

Senator Faulk moved that the Senate
adjourn until tomorrow morning at 9
o'clock.

Action being on the longest time first,
the Senate refused to adjourn until 9
o'clock tomorrow morning by the follow-
ing vote:

Yeas—7.

Faubion.	Morris.
Faulk.	Savage.
Hill.	Stafford.
Martin.	

Nays—19.

Brachfield.	Henderson.
Cain.	Hicks.
Davidson of	Lipscomb.
DeWitt.	McKamy.
Faust.	Mills.
Grinnan.	Paulus.
Hale.	Perkins.
Hanger.	Sebastian.
Harbison.	Willacy.
Harper.	Wilson.

Absent.

Beaty.	Decker.
Davidson of	Douglass.
Galveston.	Patteson.

Question being on the substitute mo-
tion, the same was withdrawn.

The motion to take a recess until to-
night at 8 o'clock prevailed.

AFTER RECESS.

(Night Session.)

The Senate was called to order by
Lieutenant Governor Neal.

Pending business—Substitute House
bill Nos. 40 and 170—was resumed.

Senator Faulk offered the following
amendment to Section 105:

"Amend by striking out the words
'and watchers,' line 22, page 35."

(President Pro Tem. Davidson of De-
Witt in the chair.)

Senator Brachfield offered the follow-
ing substitute for the amendment:

"Amend by striking out after the word
'election,' in line 22, down to and includ-
ing the word 'candidates,' in line 23."

The substitute was lost.

The amendment was adopted.

Senator Mills offered the following
amendment to Section 105:

"Amend page 35 by adding at the end
of Section 105: 'That two sets of judges
and clerks may be allowed at all voting
precincts where more than one hundred
votes were cast at the last primary elec-
tion, or general election.'"

The amendment was adopted.

Senator Brachfield offered the follow-
ing amendment:

"Strike out all after the word 'the,'
in line 19, page 35, down to and includ-
ing the word 'party,' in line 20, and in-
sert 'by the executive committee or con-
vention of the party holding the pri-
mary.'"

The amendment was lost.

Senator Hill offered the following
amendment to Section 106:

"Amend by striking out the words
'and primary convention,' lines 27 and
28, page 35, and the words 'or primary
convention,' line 2, page 36."

The amendment was adopted.

Senator Brachfield offered the follow-
ing amendment to Section 106:

"Amend by inserting after the word
'erase,' in line 32, the words 'or mark
out.'"

The amendment was read, and adopted.

Senator Brachfield offered the follow-
ing amendment to Section 109:

"Amend by adding after the word
'use,' in line 22, the following: 'Pro-
vided, this Section shall not apply to
cities, towns and rural precincts that
have a population of less than 5,000.'"

Senator Douglass offered the following
substitute to the amendment to Section
109:

"Strike out all of Section 109, down to and including the word 'elections,' in line 12, and insert in lieu the following: 'The voting booths, ballot boxes and guard rails required for general elections shall be used by the various precincts for primary elections, as provided for in Section 52 of this bill.'"

The substitute to the amendment was adopted.

Senator Hicks offered the following amendment to Section 110:

"Amend by striking out the word 'with,' in line 25, page 36, and the words 'in six days,' in line 26, same page."

The amendment was adopted.

Senator Hicks offered the following amendment to Section 110:

"Strike out the word 'promptly,' line 25, page 36, and insert in lieu thereof the word 'immediately.'"

The amendment was adopted.

Senator Hill offered the following amendment to Section 109:

"Amend by inserting the word 'democratic' after the word 'the,' line 27, page 36."

The amendment was lost.

Senator Mills offered the following amendment to Section 110:

"Amend page 36 by striking out 'Saturday,' in line 30, and insert 'Thursday.'"

The amendment was lost.

Senator Brachfield offered the following amendment:

"Amend by adding after the word 'election,' in line 13, page 37, the following: 'Provided, this Section shall not prevent the holding of a county convention for the purpose of counting and declaring the result of the election.'"

The amendment was adopted.

Senator Sebastian moved that the Senate adjourn until tomorrow morning at 9 o'clock.

CALL OF THE SENATE FOR THE PURPOSE OF SECURING AND MAINTAINING A QUORUM.

Senator Hicks moved a call of the Senate for the purpose of securing and maintaining a quorum.

The call being duly seconded, the roll was called, the following Senators answering to their names:

Brachfield.	Grinnan.
Cain.	Hanger.
Davidson of	Harper.
DeWitt.	Hicks.
Decker.	Hill.
Douglass.	Lipscomb.
Faubion.	Martin.
Faulk.	McKamy.
Faust.	Mills.

Paulus.	Sebastian.
Perkins.	Willacy.
Savage.	Wilson.

Absent.

Beaty.	Henderson.
Davidson of	Morris.
Galveston.	Patteson.
Hale.	Stafford.
Harbison.	

Senator Sebastian moved that the Senate adjourn until 9 o'clock tomorrow morning.

The motion to adjourn was lost by the following vote:

Yeas—8.

Douglass.	Martin.
Faubion.	Sebastian.
Faulk.	Willacy.
Hill.	Wilson.

Nays—15.

Brachfield.	Harper.
Cain.	Hicks.
Davidson of	Lipscomb.
DeWitt.	McKamy.
Decker.	Mills.
Faust.	Paulus.
Grinnan.	Perkins.
Hanger.	Savage.

Absent.

Beaty.	Henderson.
Davidson of	Morris.
Galveston.	Patteson.
Hale.	Stafford.
Harbison.	

Senator Hanger moved that the Sergeant-at-Arms be instructed to bring in the absentees.

The motion was lost by the following vote:

Yeas—5.

Decker.	Lipscomb.
Douglass.	Wilson.
Faulk.	

Nays—19.

Brachfield.	Hicks.
Cain.	Hill.
Davidson of	Martin.
DeWitt.	McKamy.
Faubion.	Mills.
Faust.	Paulus.
Grinnan.	Perkins.
Hanger.	Savage.
Harper.	Sebastian.
Henderson.	Willacy.

Absent.

Beaty.	Harbison.
Davidson of	Morris.
Galveston.	Patteson.
Hale.	Stafford.

PENDING BUSINESS.

Senator Faulk offered the following amendment to Section 111:

"Amend by striking out the words 'under seal and,' in line 14, page 37, Section 111."

The amendment was adopted.

Senator Mills offered the following amendment to Section 112:

"Amend page 38 by striking out all of Section 112 and insert the following: 'The judges and clerks who serve at primary election shall receive each such compensation as may be allowed by the county executive committee for holding each primary and making out and delivering the returns of the same to the county chairman.'"

The amendment was adopted.

Senator Faulk offered the following amendment to Section 113:

"Amend by adding after the word 'booth,' line 11, the following: 'Or place proposed by the judges of the election.'"

The amendment was adopted.

Question being on the adoption of Section 115, yeas and nays were called for, and the same was adopted by the following vote:

Yeas—16.

Brachfield.	Hicks.
Cain.	Lipscomb.
Davidson of	Martin.
DeWitt.	McKamy.
Douglass.	Mills.
Faust.	Perkins.
Grinnan.	Sebastian.
Harper.	Willacy.
Henderson.	

Nays—8.

Decker.	Hill.
Faubion.	Paulus.
Faulk.	Savage.
Hanger.	Wilson.

Absent.

Beaty.	Harbison.
Davidson of	Morris.
Galveston.	Patteson.
Hale.	Stafford.

Senator Faulk offered the following amendment to Section 116:

"Amend by striking out Section 116."

The amendment was adopted.

Senator Harper offered the following amendment to Section 117:

"Amend line 17, page 39, by adding after the word 'precinct,' 'if the voter is required to procure a certificate of exemption under this act.'"

The amendment was adopted.

Senator Mills offered the following amendment to Section 118:

"Amend page 39 by striking out all of Section 118 after the word 'paid,' in line 20, and insert 'By the county.'"

The amendment was adopted.

(Senator Willacy in the chair.)

Senator Hicks offered the following amendment to Section 119:

"Amend by striking out the word 'ten,' in line 27, page 39, and insert the word 'fifteen.'"

The amendment was adopted.

Senator Hicks offered the following amendment to Section 119:

"Amend by adding at the end of Section 119, page 40, the following: 'The compensation allowed the collector under this Section shall be fees ex-officio, and shall not be computed under what is known as the fee bill.'"

The amendment was adopted.

Senator Decker offered the following amendment:

"Amend by adding after Section 119 another Section to be consecutively and properly numbered after said Section 119 as it appears in the printed bill, the following Section:

"Section —. Nothing in this act shall be construed in any way to deny to any citizen of Texas the right to become a candidate for any office, and to have his name placed on the regular official ballot for any general or special election; provided, that he shall apply to the proper authorities to have his name placed on the official ballot at least twenty days before the day of such general or special election.'"

Senator Perkins moved to table the amendment, and the same prevailed by the following vote:

Yeas—15.

Brachfield.	Grinnan.
Cain.	Harper.
Davidson of	Martin.
DeWitt.	McKamy.
Douglass.	Mills.
Faubion.	Perkins.
Faulk.	Sebastian.
Faust.	Wilson.

Nays—8.

Decker.	Lipscomb.
Hanger.	Paulus.
Hicks.	Savage.
Hill.	Willacy.

Present—Not voting.

Henderson.

Absent.

Beaty.	Harbison.
Davidson of	Morris.
Galveston.	Patteson.
Hale.	Stafford.

MOTION TO ADJOURN LOST.

Senator Faubion moved that the Senate adjourn until tomorrow morning at 10 o'clock.

The motion to adjourn was lost by the following vote:

Yeas—6.

Faubion.	Sebastian.
Hill.	Willacy.
Martin.	Wilson.

Nays—18.

Brachfield.	Harper.
Cain.	Henderson.
Davidson of	Hicks.
DeWitt.	Lipscomb.
Decker.	McKamy.
Douglass.	Mills.
Faulk.	Paulus.
Faust.	Perkins.
Grinnan.	Savage.
Hanger.	

Absent.

Beaty.	Harbison.
Davidson of	Morris.
Galveston.	Patteson.
Hale.	Stafford.

PENDING BUSINESS RESUMED.

Senator Brachfield offered the following amendment to Section 120:

"Amend by adding Section 119a.

"Section 119a. No immaterial error made by any officer of a primary election, nor any immaterial violation of the primary election laws by an elector shall vitiate any election held under this act, nor be the cause of throwing out the vote of any election precinct."

The amendment was adopted.

At this time, Senator Faulk moved to rescind the motion to consider this bill by sections, and that the balance of the bill be considered as a whole.

The motion prevailed.

Senator Hanger offered the following amendment to the bill:

"Amend the bill by striking out all of Section 153, after the word 'or,' in line 13, and insert in lieu thereof the following: 'Shall be deemed guilty of a misdemeanor.'"

The amendment was adopted.

Senator Hicks offered the following amendment:

"Amend by adding Section 158 after Section 157, page 50, as follows:

"Section 158. The importance of this act to the people of Texas, the near approach of the end of the session and the crowded condition of the calendar, create an emergency and imperative public necessity requiring that the constitutional rule requiring bills to be read on

three several days be suspended, and the said rule is hereby suspended."

The amendment was adopted.

Senator Paulus offered the following amendment:

"Amend by striking out Section 130."

Senator Hicks offered the following amendment:

"Amend the bill by striking out all after the word 'more,' in line 10, page 18, down to the word 'there,' in line 16, and insert in lieu thereof the following: 'As many sets of voting booths as there are political parties holding primary elections; and a set of voting booths shall be furnished each political party for each voting precinct in said town or city for primary elections, but at all elections other than primary elections there shall be but one set of voting booths provided for all parties.'"

The amendment was adopted.

Senator Hanger offered the following amendment:

"Amend Section 133 by striking out the words 'store or brewery,' in line 5, page 43."

The amendment was adopted.

Senator Hanger offered the following amendment:

"Amend Section 133 by striking out the words 'or within three miles thereof,' wherever they occur in the Section."

The amendment was adopted.

Action then recurring on Section 22—which was passed—with the following amendment, and substitute for the amendment:

"Amend Section 22 by striking out all after the word 'receipt,' in line 5, page 8, down to and including the word 'same,' in line 12."

Senator Faulk offered the following substitute for the amendment:

"Amend Section 22, page 8, by striking out in line 6, after the word 'person,' the following words: 'other than the tax collector,' and by striking out in line 7, after the word 'voter,' all down to and including the word 'qualifications,' in line 9."

The substitute was lost by the following vote:

Yeas—7.

Decker.	Lipscomb.
Faulk.	Martin.
Faust.	Paulus.
Hanger.	

Nays—16.

Brachfield.	Grinnan.
Cain.	Harper.
Davidson of	Henderson.
DeWitt.	Hicks.
Douglass.	Hill.
Faubion.	McKamy.

Mills.	Sebastian.
Perkins.	Willacy.
Savage.	

Absent.

Beaty.	Morris.
Davidson of	Patteson.
Galveston.	Stafford.
Hale.	Wilson.
Harbison.	

The amendment was then adopted.

Senator Faulk offered the following amendment:

"Amend by adding the following to Section 22: 'But in no event shall any candidate for office, nor any one who is actively espousing the cause of any candidate for office, be allowed to pay any poll tax for another, and any person violating any of the provisions of this section shall be guilty of a felony, and upon conviction shall be punished by confinement in the penitentiary for a term of not less than two nor more than five years.'"

The amendment was read, and adopted.

Senator Hanger offered the following amendment:

"Amend Section 157 by striking out all after the word 'herewith,' in line 10, and insert in lieu thereof the following: 'Provided, this act shall not apply to any election held prior to February 1, 1904.'"

Senator Hicks moved the previous question on the amendment, and the bill.

The motion being duly seconded, the main question was ordered.

The amendment was adopted.

The bill was read second time, and passed to a third reading by the following vote:

Yeas—17.

Cain.	Henderson.
Davidson of	Hicks.
DeWitt.	Lipscomb.
Faubion.	Martin.
Faulk.	McKamy.
Faust.	Mills.
Grinnan.	Perkins.
Hanger.	Sebastian.
Harper.	Willacy.

Nays—6.

Brachfield.	Hill.
Decker.	Paulus.
Douglass.	Savage.

Absent.

Beaty.	Morris.
Davidson of	Patteson.
Galveston.	Stafford.
Hale.	Wilson.
Harbison.	

SIMPLE RESOLUTION.

Senator Paulus offered the following resolution:

Resolved, That the bill as amended and engrossed be printed, in order that the members of the Senate may have an opportunity of studying it carefully and prayerfully before being required to vote on its final passage.

On motion of Senator Davidson of DeWitt, the resolution was tabled.

Senator Perkins moved that the constitutional rule requiring bills to be read on three several days be suspended, and the bill put on its third reading and final passage.

The motion was lost by the following vote:

Yeas—18.

Brachfield.	Harper.
Cain.	Henderson.
Davidson of	Hicks.
DeWitt.	Lipscomb.
Douglass.	McKamy.
Faubion.	Mills.
Faulk.	Perkins.
Faust.	Sebastian.
Grinnan.	Willacy.
Hanger.	

Nays—5.

Decker.	Paulus.
Hill.	Savage.
Martin.	

Absent.

Beaty.	Morris.
Davidson of	Patteson.
Galveston.	Stafford.
Hale.	Wilson.
Harbison.	

REASONS FOR VOTING.

"In voting 'yea' on engrossment of this bill, it is not regarded as an assurance that I will support the measure on its final passage.

"HENDERSON."

"I vote 'no' on engrossment of this bill because so many amendments have been adopted that it is impossible for me to understand what is in the bill.

"BRACHFIELD."

Senator Hicks moved to reconsider the vote by which the bill passed to a third reading, and lay that motion on the table.

The motion to table prevailed.

ADJOURNMENT.

Senator Martin moved that the Senate adjourn until 10 o'clock a. m. tomorrow.

Senator Davidson of DeWitt moved as a substitute that the Senate adjourn until 9 o'clock a. m. tomorrow.

Action being on the longest time first, the Senate, at 10:50 o'clock p. m., adjourned until 10 o'clock a. m. tomorrow.

APPENDIX.

COMMITTEE REPORTS.

The following committee reports were offered:

ENGROSSED BILLS.

Committee Room.

Austin, Texas, March 26, 1903.

Hon. Geo. D. Neal, President of the Senate.

SIR: Your Committee on Engrossed bills have carefully examined and compared

Senate bill No. 217, A bill to be entitled "An Act to validate all patents and surveys of land in tracts containing 640 acres or less, situated in Archer county, located under the Act of July 14, 1879, whereas said lands have been patented."

And find the same correctly engrossed.

PATTESON, Chairman.

Committee Room.

Austin, Texas, March 26, 1903.

Hon. Geo. D. Neal, President of the Senate.

SIR: Your Committee on Engrossed bills have carefully examined and compared

Senate bill No. 308, A bill to be entitled "An Act to amend Section 3, Article 1092, Title XV, Chapter 2, of the Code of Criminal Procedure of the State of Texas, so as to provide that when the sheriff or constable be required to remove a prisoner to or from another county before indictment, and the prisoner is afterwards indicted for a felony on the same charge, the sheriff or constable shall be entitled to the same fees as though the removal was made after the indictment."

An find the same correctly engrossed.

PATTESON, Chairman.

Committee Room.

Austin, Texas, March 26, 1903.

Hon. Geo. D. Neal, President of the Senate.

SIR: Your Committee on Engrossed bills have carefully examined and compared

Senate bill No. 315. A bill to be entitled "An Act creating a Board of Trustees of San Jacinto Battlefield, defining the

duties of the same, and appropriating \$30,000 for improvements and protection of the San Jacinto Battlefield."

And find the same correctly engrossed.

PATTESON, Chairman.

ENROLLED BILLS.

Committee Room.

Austin, Texas, March 26, 1903.

Hon. Geo. D. Neal, President of the Senate.

SIR: Your Committee on Enrolled Bills have carefully examined and compared.

Substitute Senate bill No. 252, "An Act to incorporate the city of Corsicana, in Navarro county, Texas, and to fix the boundaries thereof, and to provide for its government and the management of its affairs."

And find the same correctly enrolled, and have this day, at 12 o'clock m., presented same to the Governor for his approval.

HALE, Chairman.

JUDICIARY NO. 2.

MAJORITY REPORT.

Committee Room.

Austin, Texas, March 26, 1903.

Hon. Geo. D. Neal, President of the Senate.

SIR: Your Judiciary Committee No. 2, to whom was referred

Senate bill No. 324, A bill to be entitled "An Act to permit wagers on racing between horses when the same are conducted under the supervision of any fair association chartered under the laws of the State of Texas, and when such wager is made on the day the race is actually run and within two hundred feet of the track or grounds where such race is run; and declaring an emergency."

Have had the same under consideration, and I am instructed to report it back to the Senate with the recommendation that it do pass, and that the same be not printed.

(Floor report.)

PAULUS, Chairman.

MINORITY REPORT.

Committee Room.

Austin, Texas, March 26, 1903.

Hon. Geo. D. Neal, President of the Senate.

SIR: A minority of your Judiciary Committee No. 2, to whom was referred

Senate bill No. 324, A bill to be entitled "An Act to permit wagers on racing between horses when the same are con-

ducted under the supervision of any fair association chartered under the laws of the State of Texas, and when such wager is made on the day the race is actually run and within two hundred feet of the track or grounds where such race is run; and declaring an emergency,"

Do not concur in the report of the majority, but recommend that it do not pass.

BRACHFIELD.

FORTY-SEVENTH DAY.

Senate Chamber.

Austin, Texas, Friday, March 27, 1903.

Senate met pursuant to adjournment.

Lieutenant Governor Neal in the chair.

Roll call. Quorum present, the following Senators answering to their names:

Brachfield.	Henderson.
Cain.	Hicks.
Davidson of	Hill.
DeWitt.	Lipscomb.
Davidson of	Martin.
Galveston.	McKamy.
Decker.	Mills.
Douglass.	Morris.
Faubion.	Patteson.
Faulk.	Paulus.
Faust.	Perkins.
Grinnan.	Savage.
Hale.	Sebastian.
Hanger.	Stafford.
Harbison.	Willacy.
Harper.	Wilson.

Absent.

Beaty.

ROLL CALL OF OFFICERS AND EMPLOYEES.

Present.

Clyde D. Smith.
W. E. DeLamar.
R. M. Gilmore.
Amos Wynne.
W. M. Cobb.
Eldred McKinnon.
Mrs. Laura V. Grinnan.
F. P. Smith.
Miss Lucy Lane.
C. H. Allen.
D. F. Hughes.
Frank Mullins.
C. J. Kirk.
Rev. I. S. Davenport.
Miss May Fant Odom.
J. C. Son.
Miss Georgia Sturgiss.
Mrs. Hattie Yarbrough.
Mrs. Hope H. Hawkins.

Miss Emily Holcomb.
Mrs. J. R. Van Orden.
Miss Bessie Goldstein.
Miss L. Stanley.
W. T. Pace.
W. A. Shaw, Jr.
Lucien Goss.
Herbert Davenport.
Charlie Lane.
Willie Gibson.
Henry Paulus.
Evetts Thornhill.
Walter Savage.
Willie Gray.
Jamie Snipes.
Ed Underhill.
Will Bartley.
Reed Pierson.
Josh Pyles.
Ellis Monroe.
Albert Hill.
Dan Edwards.
Mark Marsh.
James Hill.

Absent—Excused.

James Sebastian.

Prayer by the Chaplain, Rev. I. S. Davenport.

Pending the reading of the Journal of yesterday,

On motion of Senator Sebastian, the same was dispensed with.

The Chair announced that the morning call was concluded.

SUBSTITUTE HOUSE BILL NOS. 45 AND 170.—THIRD READING.

On motion of Senator Perkins, pending business (Senate bill No. 158) was suspended, and the Senate took up, out of its order, Substitute House bill, Nos. 45 and 170.

The Chair laid before the Senate on third reading,

Substitute House bill Nos. 45 and 170, A bill to be entitled "An Act to regulate elections, and to prescribe penalties for its violation."

Senator Perkins offered the following amendment:

"Amend Section 43 of the engrossed bill by striking out all after the words 'county judge,' in line 32, page 15, printed bill, down to the beginning of the following sentence, and inserting in lieu thereof the following: 'Immediately after the votes have been counted.'"

The amendment was adopted by the following vote:

Yeas—20.

Brachfield.	Faulk.
Cain.	Grinnan.
Douglass.	Hale.